

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 5:22-cr-397
)	
Plaintiff,)	JUDGE CHARLES E. FLEMING
)	
v.)	
)	
KOURTNEY D. MOORE,)	ORDER ACCEPTING PLEA,
)	JUDGMENT, AND REFERRAL TO U.S.
Defendant.)	PROBATION OFFICE
)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Reuben J. Sheperd recommending that the Court accept Defendant's guilty plea and enter a finding of guilty. (ECF No. 38). This matter was previously referred to the Magistrate Judge with the consent of the parties. (ECF Nos. 35, 37).

On August 15, 2024, the government filed a superseding information that charged Defendant with eight counts: (i) possession with intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A) (Count 1); (ii) possession with intent to distribute fentanyl, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A) (Count 2); (iii) felon in possession of firearms, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2) (Count 3); (iv) possession of unregistered firearm, in violation of 26 U.S.C. §§ 5841, 5861(d), and 5871 (Count 4); (v) maintaining a drug premise, in violation of 21 U.S.C. § 856(a)(1) (Count 5); (vi) possession of a firearm in furtherance of drug trafficking offenses, in violation of 18 U.S.C. § 924(c)(1)(A)(i) (Count 6); (vii) possession of a firearm in furtherance of drug trafficking offenses, in violation of 18 U.S.C. § 924(c)(1)(B)(i) (Count 7); and (viii) possession with intent to distribute a controlled substance, in violation of 21 U.S.C. § 846 (Count 8). (ECF No. 34).

On September 16, 2024, Defendant filed a waiver of indictment. (ECF No. 36). The same day, Magistrate Judge Sheperd held an arraignment/change of plea hearing, during which Defendant entered a plea of guilty to Counts 1 through 8 of the Superseding Information. (ECF [non-document] Sept. 16, 2024). On September 17, 2024, Magistrate Judge Sheperd issued a Report and Recommendation (“R&R”) recommending that the Court accept Defendant’s guilty plea and enter a finding of guilty. (ECF No. 38).

Any objections to the R&R were due on October 1, 2024. (*Id.* at PageID #97). Neither party submitted any objections.

On review of the record, the Court adopts the R&R. Defendant Kourtney D. Moore is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a guilty plea. He is also aware of the trial rights he waives/gives up by pleading guilty. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea is accepted.

Therefore, Defendant Moore is adjudged guilty of Counts 1, 2, 3, 4, 5, 6, 7, and 8 of the Superseding Information. This matter was referred to the U.S. Probation Office for the completion of a presentence investigation and report. Sentencing will be held on January 7, 2025 at 10:00 a.m. in Courtroom 17A.

IT IS SO ORDERED.

Date: October 2, 2024



CHARLES E. FLEMING
UNITED STATES DISTRICT JUDGE